

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X JUDGE RAKOFF

UNITED STATES OF AMERICA :

- v. - :

JAMES JACOBS, : SEALED INDICTMENT

a/k/a "B," and

MOSES BERMUDEZ, : 15 Cr. \_\_\_\_ ( )

a/k/a "Moreno,"

Defendants.

15 CRIM 357

- - - - - X

COUNT ONE

The Grand Jury charges:

1. From in or about July 2013, up to and including at least September 2014, in the Southern District of New York and elsewhere, JAMES JACOBS, a/k/a "B," and MOSES BERMUDEZ, a/k/a "Moreno," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JAMES JACOBS, a/k/a "B," and MOSES BERMUDEZ, a/k/a "Moreno," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

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3. The controlled substance that JAMES JACOBS, a/k/a "B," and MOSES BERMUDEZ, a/k/a "Moreno," the defendants, conspired to distribute and possess with intent to distribute was 100 grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(B).

OVERT ACTS

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. On or about July 12, 2013, and November 6, 2013, JAMES JACOBS, a/k/a "B," the defendant, sold a quantity of heroin to an undercover police officer, in the Bronx, New York.

b. On or about October 10, 2013, and September 11, 2014, MOSES BERMUDEZ, a/k/a "Moreno," the defendant, sold a quantity of heroin to an undercover police officer, in the Bronx, New York.

(Title 21, United States Code, Section 846.)

FORFEITURE

5. As a result of committing the controlled substance offense charged in Count One of this Indictment, JAMES JACOBS, a/k/a "B," and MOSES BERMUDEZ, a/k/a "Moreno," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property

constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offense, and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the offense.

SUBSTITUTE ASSETS PROVISION

6. If any of the above-described forfeitable property, as a result of any act or omission of JAMES JACOBS, a/k/a "B," and MOSES BERMUDEZ, a/k/a "Moreno," the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;


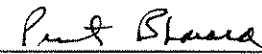
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;  
or

e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

  
FOREPERSON  
PREET BHARARA *HP*  
United States Attorney

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Defendants.

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SEALED INDICTMENT

15 Cr. \_\_\_\_ ( )

(21 U.S.C. §§ 846 and 853.)

PREET BHARARA  
United States Attorney.

A TRUE BILL

  
Foreperson.

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6/8/15 Filed Indictment. CANNOT issue  
COT) (M)